

3370

NOTICE ASSIGNMENT CONTROL SHEET

LOG CONTROL NUMBER: 122 ANALYST
ASSIGNED: CAREY
ACTION: AN/NFP

TITLE: JACOB K. JAVITS GIFTED AND TALENTED STUDENTS
EDUCATION PROGRAM

RECEIVED: 3/25/2008

DATE ASSIGNED: 3/25/2008

DATE DUE: 3/31/2008

ANALYST SIGNATURE:

Shari Carey

COMPLETION DATE:

3/27/08

FINAL APPROVAL:

Angela Livingston

DATE: 3-27-08

OMB NO: 1890-0009 Expires 6/30/08

REG PART:

Approve.

Rudolph, Kim

From: Carey, Sheila
Sent: Thursday, March 27, 2008 2:58 PM
To: Rudolph, Kim; Hoosier-Nickerson, Debra
Subject: RE: OESE Javits NFP and NIA

approve 1890-0009 Expires 6/30/08. Thanks

-----Original Message-----

From: Rudolph, Kim
Sent: Tuesday, March 25, 2008 2:47 PM
To: Carey, Sheila
Subject: FW: OESE Javits NFP and NIA

Sheila: This notice has been assigned to you since you reviewed it last November. It relates to 1894-0006, which used to be 1890-0009.

Kim

-----Original Message-----

From: Hoosier-Nickerson, Debra
Sent: Tuesday, March 25, 2008 2:22 PM
To: Keeling, Alycyn; Dean, Andrew; Arrington, Angela; Cubarrubia, Archie; Monblatt, Bruce; Bayer, Christopher; Dorfman, Cynthia; McFadden, Elizabeth; McGrath, Jack; Hyler, James; Woodsome, James; Mullan, Kate; Howard, Khrriss; Rudolph, Kim; Langford, Lindsey; Wade, Maria; Holloway, Michael; Beetle, Naty; Laster, Nettie; Knight, Pat; Rosenfelt, Phil; Boucher, Richard; Scott, Robert; Higgins, Shannan; Freid, Steve; Tada, Wendy
Cc: Cahalan, Teresa; Johnson, PATRICIA; Young, Aaron; Krim, Daphna; Esters, Lorenzo; Ndjungu, Yifwanda (Contractor)
Subject: OESE Javits NFP and NIA

All,

Attached are the OESE Notice of Final Priority and Notice Inviting Applications for Jacob K. Javits Gifted and Talented Students Education Program. Please review and provide any comments and/or concurrences to Debra Hoosier-Nickerson via email or in room 6E251 no later than C.O.B. Monday, March 31, 2008. Thank you.

Debra H. Nickerson
 Program Specialist (Regulations)
 U.S. Department of Education
 400 Maryland Avenue S.W.
 Washington, DC 20202
 Ph: (202) 401-6267
 Fax: (202) 260-5085

Email: Debra.Hoosier-Nickerson@ed.gov

3/27/2008

4000-01-U

DEPARTMENT OF EDUCATION

Office of Elementary and Secondary Education

Overview Information

Jacob K. Javits Gifted and Talented Students Education
Program

Notice inviting applications for new awards for fiscal year
(FY) 2008.

Catalog of Federal Domestic Assistance (CFDA) Number:
84.206A

Dates:

Applications Available: (INSERT DATE OF PUBLICATION IN THE
FEDERAL REGISTER).

Deadline for Transmittal of Applications: (INSERT DATE 45
DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER).

Deadline for Intergovernmental Review: (INSERT DATE 105
DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER).

Full Text of Announcement

I. Funding Opportunity Description

Purpose of Program: The purpose of the Javits program is
to carry out a coordinated program of scientifically based
research, demonstration projects, innovative strategies,
and similar activities designed to build and enhance the

ability of elementary and secondary schools nationwide to meet the special educational needs of gifted and talented students.

Priority: This priority is from the notice of final priority, published elsewhere in this issue of the Federal Register.

Absolute Priority: For FY 2008 and any subsequent year in which we make awards from the list of unfunded applicants from this competition, this priority is an absolute priority. Under 34 CFR 75.105(c)(3) we consider only applications that meet this priority.

This priority is:

Javits Demonstration Programs

Under this priority, grantees must "scale up" and evaluate models designed to increase the number of students from underrepresented groups who, through gifted and talented education programs, perform at high levels of academic achievement.

For this priority, "scaling up" means to expand a program with demonstrated effectiveness on a small scale for use with gifted and talented students in broader settings (such as in multiple schools, grade levels, or districts, or in other educational settings) or with different populations of gifted and talented students

(based on differences such as the socioeconomic, racial, ethnic, geographic, and linguistic backgrounds of the students and their families). With regard to this priority, underrepresented groups refer to the following three groups of gifted and talented students: economically disadvantaged individuals; individuals with limited English proficiency; and individuals with disabilities.

To meet this priority, applicants must include all of the following in their applications:

(1) Evidence from one or more scientifically based research and evaluation studies indicating that the proposed intervention has raised the achievement of students from one or more underrepresented groups in one or more core subject areas.

(2) Evidence from one or more scientifically based research and evaluation studies that the proposed intervention has resulted in the identification of and provision of services to increased numbers of students from underrepresented groups who participate in gifted and talented education programs.

(3) Evidence that the applicant has significant expertise on its leadership team in each of the following areas: Gifted and talented education, research and program

evaluation, content knowledge in one or more core academic subject areas, and working with underrepresented groups.

(4) A sound plan for implementing the model in multiple settings or with multiple populations.

(5) A research and evaluation plan that employs an experimental or quasi-experimental design to measure the impact of the intervention on the achievement of students who are economically disadvantaged or limited English proficient, or who have disabilities, and on the number of these students who are identified as gifted and talented and served through gifted and talented programs.

Note: Evaluation methods using an experimental design are best for determining program effectiveness. Thus, when feasible, the project must use an experimental design under which participants (e.g., students, teachers, classrooms, or schools) are randomly assigned to participate in the project activities being evaluated or to a control group that does not participate in the project activities being evaluated.

If random assignment is not feasible, the project may use a quasi-experimental design with carefully matched comparison conditions. This alternative design attempts to approximate a randomly assigned control group by matching

participants with non-participants having similar pre-intervention characteristics.

Program Authority: 20 U.S.C. 7253.

Applicable Regulations: (a) The Education Department General Administrative Regulations (EDGAR) in 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

(b) The notice of final priority published elsewhere in this issue of the Federal Register.

Note: The regulations in 34 CFR part 79 apply to all applicants except federally recognized Indian tribes.

Note: The regulations in 34 CFR part 86 apply to institutions of higher education only.

II. Award Information

Type of Award: Discretionary grants.

Estimated Available Funds: \$2,646,000.

Contingent upon the availability of funds and the quality of applications, the Secretary may make additional awards in FY 2009 from the list of unfunded applicants from this competition.

Estimated Range of Awards: \$300,000 - \$450,000.

Estimated Average Size of Awards: \$441,000.

Estimated Number of Awards: 6.

Note: The Department is not bound by any estimates in this notice.

Project Period: Up to 60 months.

III. Eligibility Information

1. Eligible Applicants: State educational agencies, local educational agencies, institutions of higher education, other public agencies, and private agencies and organizations, including Indian tribes and tribal organizations as defined by the Indian Self-Determination and Education Assistance Act, and Native Hawaiian organizations.

2. Cost Sharing or Matching: This program does not require cost sharing or matching.

IV. Application and Submission Information

1. Address to Request Application Package: You can obtain an application package via the Internet or from the Education Publications Center (ED Pubs). To obtain a copy via the Internet use the following addresses:

<http://www.grants.gov> or

<http://www.ed.gov/programs/javits/applicant.html>. To

obtain a copy from ED Pubs, write, fax, or call the following: Education Publications Center, P.O. Box 1398, Jessup, MD 20794-1398. Telephone (toll free): 1-877-433-7827. FAX: (301) 470-1244. If you use a telecommunications device for the deaf (TDD), you may call (toll free): 1-877-576-7734.

You may also contact ED Pubs at its Web site:
www.ed.gov/pubs/edpubs.html or you may contact ED Pubs at
its e-mail address: edpubs@inet.ed.gov.

If you request an application from ED Pubs, be sure to
identify this competition as follows: CFDA number 84.206A.

Individuals with disabilities may obtain a copy of the
application package in an alternative format (e.g.,
Braille, large print, audiotape, or computer diskette) by
contacting the program contact person listed in this
section. However, the Department is not able to reproduce
in an alternative format the standard forms included in the
application package.

2. Content and Form of Application Submission:

Requirements concerning the content of an application,
together with the forms you must submit, are in the
application package for this competition.

Page Limit: The application narrative is where you, the
applicant, address the selection criteria that reviewers
use to evaluate your application. You must limit the
application narrative to the equivalent of no more than 20
pages, using the following standards:

- A "page" is 8.5" x 11", on one side only, with 1"
margins at the top, bottom, and both sides.

- Double space (no more than three lines per vertical inch) all text in the application narrative, except titles, headings, footnotes, quotations, references, captions, and all text in charts, tables, and graphs.

- Use one of the following fonts: Times New Roman, Courier, Courier New, or Arial. An application submitted in any other font (including Times Roman or Arial Narrow) will not be accepted.

- Use a font that is either 12-point font or larger or no smaller than 10 pitch (characters per inch).

- Begin numbering at the right bottom of the first page in Arabic numerals ("1") and number the pages consecutively throughout the document.

- Include all critical information in the program narrative.

The page limit does not apply to the cover sheet; the budget section, including the narrative budget justification; the assurances and certifications; or the one-page abstract, the resumes, the bibliography, or the letters of support. However, the page limit does apply to all of the application narrative section.

We will reject your application if--

- You apply these standards and exceed the page limit; or

- You apply other standards and exceed the equivalent of the page limit.

3. Submission Dates and Times:

Applications Available: (INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER).

Deadline for Transmittal of Applications: (INSERT DATE 45 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER).

Applications for grants under this competition must be submitted electronically using the Grants.gov Apply site (Grants.gov). For information (including dates and times) about how to submit your application electronically, or in paper format by mail or hand delivery if you qualify for an exception to the electronic submission requirement, please refer to section IV. 6. Other Submission Requirements in this notice.

We do not consider an application that does not comply with the deadline requirements.

Individuals with disabilities who need an accommodation or auxiliary aid in connection with the application process should contact the person listed under For Further Information Contact in section VII in this notice. If the Department provides an accommodation or auxiliary aid in connection with the application process,

the individual's application remains subject to all other requirements and limitation in this notice.

Deadline for Intergovernmental Review:

4. Intergovernmental Review: This competition is subject to Executive Order 12372 and the regulations in 34 CFR part 79. Information about Intergovernmental Review of Federal Programs under Executive Order 12372 is in the application package for this competition.

5. Funding Restrictions: We reference regulations outlining funding restrictions in the Applicable Regulations section in this notice.

6. Other Submission Requirements: Applications for grants under this competition must be submitted electronically unless you qualify for an exception to this requirement in accordance with the instructions in this section.

a. Electronic Submission of Applications.

Applications for grants under the Jacob K. Javits Gifted and Talented Students Education Program, CFDA Number 84.206A, must be submitted electronically using the Governmentwide Grants.gov Apply site at <http://www.Grants.gov>. Through this site, you will be able to download a copy of the application package, complete it offline, and then upload and submit your application. You

may not e-mail an electronic copy of a grant application to us.

We will reject your application if you submit it in paper format unless, as described elsewhere in this section, you qualify for one of the exceptions to the electronic submission requirement and submit, no later than two weeks before the application deadline date, a written statement to the Department that you qualify for one of the exceptions. Further information regarding calculation of the date that is two weeks before the application deadline date is provided later in this section under Exception to Electronic Submission Requirement.

You may access the electronic grant application from the Jacob K. Javits Gifted and Talented Students Education Program at <http://www.Grants.gov>. You must search for the downloadable application package for this competition by the CFDA number. Do not include the CFDA number's alpha suffix in your search (e.g., search for 84.206, not 84.206A).

Please note the following:

- When you enter the Grants.gov site, you will find information about submitting an application electronically through the site, as well as the hours of operation.

- Applications received by Grants.gov are date and time stamped. Your application must be fully uploaded and submitted and must be date and time stamped by the Grants.gov system no later than 4:30 p.m., Washington, DC time, on the application deadline date. Except as otherwise noted in this section, we will not consider your application if it is date and time stamped by the Grants.gov system later than 4:30 p.m., Washington, DC time, on the application deadline date. When we retrieve your application from Grants.gov, we will notify you if we are rejecting your application because it was date and time stamped by the Grants.gov system after 4:30 p.m., Washington, DC time, on the application deadline date.

- The amount of time it can take to upload an application will vary depending on a variety of factors, including the size of the application and the speed of your Internet connection. Therefore, we strongly recommend that you do not wait until the application deadline date to begin the submission process through Grants.gov.

- You should review and follow the Education Submission Procedures for submitting an application through Grants.gov that are included in the application package for this program to ensure that you submit your application in a timely manner to the Grants.gov system. You can also

find the Education Submission Procedures pertaining to Grants.gov at <http://e-Grants.ed.gov/help/GrantsgovSubmissionProcedures.pdf>

- To submit your application via Grants.gov, you must complete all steps in the Grants.gov registration process (see http://www.grants.gov/applicants/get_registered.jsp). These steps include (1) registering your organization, a multi-part process that includes registration with the Central Contractor Registry (CCR); (2) registering yourself as an Authorized Organization Representative (AOR); and (3) getting authorized as an AOR by your organization. Details on these steps are outlined in the Grants.gov 3-Step Registration Guide (see <http://www.grants.gov/section910/Grants.govRegistrationBrochure.pdf>). You also must provide on your application the same D-U-N-S Number used with this registration. Please note that the registration process may take five or more business days to complete, and you must have completed all registration steps to allow you to submit successfully an application via Grants.gov. In addition you will need to update your CCR registration on an annual basis. This may take three or more business days to complete.

- You will not receive additional point value because you submit your application in electronic format, nor will

we penalize you if you qualify for an exception to the electronic submission requirement, as described elsewhere in this section, and submit your application in paper format.

- You must submit all documents electronically, including all information you typically provide on the following forms: Application for Federal Assistance (SF 424), the Department of Education Supplemental Information for SF 424, Budget Information--Non-Construction Programs (ED 524), and all necessary assurances and certifications. Please note that two of these forms--the SF 424 and the Department of Education Supplemental Information for SF 424--have replaced the ED 424 (Application for Federal Education Assistance).

- You must attach any narrative sections of your application as files in a .DOC (document), .RTF (rich text), or .PDF (Portable Document) format. If you upload a file type other than the three file types specified in this paragraph or submit a password-protected file, we will not review that material.

- Your electronic application must comply with any page-limit requirements described in this notice.

- After you electronically submit your application, you will receive from Grants.gov an automatic notification

of receipt that contains a Grants.gov tracking number.
(This notification indicates receipt by Grants.gov only, not receipt by the Department.) The Department then will retrieve your application from Grants.gov and send a second notification to you by e-mail. This second notification indicates that the Department has received your application and has assigned your application a PR/Award number (an ED-specified identifying number unique to your application).

- We may request that you provide us original signatures on forms at a later date.

Application Deadline Date Extension in Case of Technical Issues with the Grants.gov System: If you are experiencing problems submitting your application through Grants.gov, please contact the Grants.gov Support Desk, toll free, at 1-800-518-4726. You must obtain a Grants.gov Support Desk Case Number and must keep a record of it.

If you are prevented from electronically submitting your application on the application deadline date because of technical problems with the Grants.gov system, we will grant you an extension until 4:30 p.m., Washington, DC time, the following business day to enable you to transmit your application electronically or by hand delivery. You also may mail your application by following the mailing instructions described elsewhere in this notice.

If you submit an application after 4:30 p.m., Washington, DC time, on the application deadline date, please contact either person listed under For Further Information Contact in section VII in this notice and provide an explanation of the technical problem you experienced with Grants.gov, along with the Grants.gov Support Desk Case Number. We will accept your application if we can confirm that a technical problem occurred with the Grants.gov system and that that problem affected your ability to submit your application by 4:30 p.m., Washington, DC time, on the application deadline date. The Department will contact you after a determination is made on whether your application will be accepted.

Note: The extensions to which we refer in this section apply only to the unavailability of, or technical problems with, the Grants.gov system. We will not grant you an extension if you failed to fully register to submit your application to Grants.gov before the application deadline date and time or if the technical problem you experienced is unrelated to the Grants.gov system.

Exception to Electronic Submission Requirement: You qualify for an exception to the electronic submission requirement, and may submit your application in paper format, if you are unable to submit an application through

the Grants.gov system because—

- You do not have access to the Internet; or
- You do not have the capacity to upload large

documents to the Grants.gov system;

and

- No later than two weeks before the application deadline (14 calendar days or, if the fourteenth calendar day before the application deadline date falls on a Federal holiday, the next business day following the Federal holiday), you mail or fax a written statement to the Department, explaining which of the two grounds for an exception prevent you from using the Internet to submit your application.

If you mail your written statement to the Department, it must be postmarked no later than two weeks before the application deadline date. If you fax your written statement to the Department, we must receive the faxed statement no later than two weeks before the application deadline date.

Address and mail or fax your statement to: Teresa Cahalan, U.S. Department of Education, 400 Maryland Avenue, SW., room 5W218, Washington, DC 20202-8243. FAX: (202) 401-0220.

Your paper application must be submitted in accordance with the mail or hand delivery instructions described in this notice.

b. Submission of Paper Applications by Mail.

If you qualify for an exception to the electronic submission requirement, you may mail (through the U.S. Postal Service or a commercial carrier) your application to the Department. You must mail the original and two copies of your application, on or before the application deadline date, to the Department at the applicable following address:

By mail through the U.S. Postal Service:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.206A)
400 Maryland Avenue, SW.
Washington, DC 20202-4260

or

By mail through a commercial carrier:

U.S. Department of Education
Application Control Center, Stop 4260
Attention: (CFDA Number 84.206A)
7100 Old Landover Road
Landover, MD 20785-1506

Regardless of which address you use, you must show proof of mailing consisting of one of the following:

- (1) A legibly dated U.S. Postal Service postmark.

(2) A legible mail receipt with the date of mailing stamped by the U.S. Postal Service.

(3) A dated shipping label, invoice, or receipt from a commercial carrier.

(4) Any other proof of mailing acceptable to the Secretary of the U.S. Department of Education.

If you mail your application through the U.S. Postal Service, we do not accept either of the following as proof of mailing:

(1) A private metered postmark.

(2) A mail receipt that is not dated by the U.S. Postal Service.

If your application is postmarked after the application deadline date, we will not consider your application.

Note: The U.S. Postal Service does not uniformly provide a dated postmark. Before relying on this method, you should check with your local post office.

c. Submission of Paper Applications by Hand Delivery.

If you qualify for an exception to the electronic submission requirement, you (or a courier service) may submit your application in paper format by hand. You must deliver the original and two copies of your application by

hand, on or before the application deadline date, to the Department at the following address:

U.S. Department of Education
Application Control Center
Attention: (CFDA Number 84.206A)
550 12th Street, SW.
Room 7041, Potomac Center Plaza
Washington, DC 20202-4260

The Application Control Center accepts hand deliveries daily between 8:00 a.m. and 4:30 p.m., Washington, DC time, except Saturdays, Sundays, and Federal holidays.

Note for Mail or Hand Delivery of Paper Applications: If you mail or hand deliver your application to the Department--

(1) You must indicate on the envelope and--if not provided by the Department--in Item 11 of the SF 424 the CFDA number, including suffix letter, if any, of the competition under which you are submitting your application; and

(2) The Application Control Center will mail to you a notification of receipt of your grant application. If you do not receive this notification within 15 business days from the application deadline date, you should call the U.S. Department of Education Application Control Center at (202) 245-6288.

V. Application Review Information

1. Selection Criteria: The following selection criteria will be used to evaluate applications for new grants under this program and are from 34 CFR 75.210 of EDGAR and are listed in the application package. The maximum score for all selection criteria is 100 points. The points or weights assigned to each criterion are indicated in parentheses.

(a) Need for the Project (10)

In determining the need for the proposed project, we will consider the extent to which specific gaps or weaknesses in services, infrastructure, or opportunities have been identified and will be addressed in the proposed project, including the nature and magnitude of those gaps or weaknesses.

(b) Quality of the Project Design (25)

In determining the quality of the design of the proposed project, we will consider the extent to which--

(1) The goals, objectives, and outcomes to be achieved by the proposed project are clearly specified and measurable;

(2) The design of the proposed project is appropriate to, and will successfully address, the needs of the target population or other identified needs; and

(3) The proposed project represents an exceptional approach for meeting statutory purposes and requirements.

(c) Quality of the Project Personnel (15)

In determining the quality of project personnel, we will consider the extent to which the applicant encourages applications for employment from persons who are members of groups that have traditionally been underrepresented based on race, color, national origin, gender, age, or disability. We will also consider the following--

(1) The qualifications, including relevant training and experience, of the project director or principal investigator; and

(2) The qualifications, including relevant training and experience, of key project personnel.

(d) Quality of the Management Plan (20)

In determining the quality of the management plan for the proposed project, the Secretary considers the adequacy of the management plan to achieve the objectives of the proposed project on time and within budget, including clearly defined responsibilities, timelines, and milestones for accomplishing project tasks.

(e) Quality of the Project Evaluation (30)

In determining the determining the quality of the project evaluation, we will consider the extent to which--

(1) The methods of evaluation are thorough, feasible, and appropriate to the goals, objectives, and outcomes of the proposed project; and

(2) The evaluation will provide guidance about effective strategies suitable for replication or testing in other settings.

VI. Award Administration Information

1. Award Notices: If your application is successful, we notify your U.S. Representative and U.S. Senators and send you a Grant Award Notification (GAN). We may also notify you informally.

If your application is not evaluated or not selected for funding, we notify you.

2. Administrative and National Policy Requirements: We identify administrative and national policy requirements in the application package and reference these and other requirements in the Applicable Regulations section of this notice.

We reference the regulations outlining the terms and conditions of an award in the Applicable Regulations section of this notice and include these and other specific conditions in the GAN. The GAN also incorporates your approved application as part of your binding commitments under the grant.

3. Reporting: At the end of your project period, you must submit a final performance report, including financial information, as directed by the Secretary. If you receive a multi-year award, you must submit an annual performance report that provides the most current performance and financial expenditure information as specified by the Secretary in 34 CFR 75.118. The Secretary may also require more frequent performance reports under 34 CFR 75.720(c). For specific requirements on reporting, please go to <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>.

4. Performance Measures: Pursuant to the Government Performance and Results Act (GPRA), the Department developed two measures for evaluating the overall effectiveness of projects funded under the Jacob K. Javits Gifted and Talented Students Education Program. These measures gauge project quality and improvements in professional knowledge for teachers and academic achievement in students served by the projects by assessing: (1) the number of project designs that are rated by an independent review panel of qualified scientists and practitioners as being of "high or above" quality; and (2) the number of projects that have evidence of significant gains in teacher knowledge or student achievement, or both.

VII. Agency Contact

For Further Information Contact: Teresa Cahalan, U.S.

Department of Education, 400 Maryland Avenue, SW., room 5W218, Washington, DC 20202-8343. Telephone: (202) 401-3947 or by e-mail: jacobk.javits@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the program contact person listed in this section.

VIII. Other Information

Electronic Access to This Document: You may view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: www.ed.gov/news/fedregister

To use PDF you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available on GPO Access at: www.gpoaccess.gov/nara/index.html

Dated:

Kerri L. Briggs,
Assistant Secretary for
Elementary and Secondary
Education.

4000-01-U

DEPARTMENT OF EDUCATION

Jacob K. Javits Gifted and Talented Students Education
Program

AGENCY: Office of Elementary and Secondary Education,
Department of Education.

ACTION: Notice of final priority.

SUMMARY: The Assistant Secretary for Elementary and
Secondary Education announces a priority under the Jacob K.
Javits Gifted and Talented Students Education Program. The
Assistant Secretary will use this priority for a
competition in fiscal year (FY) 2008 and may use it in
later years.

We take this action to support the implementation of
models with demonstrated effectiveness in identifying and
serving gifted and talented students who are economically
disadvantaged or limited English proficient, or who have
disabilities, and who may not be identified and served
through typical strategies for identifying gifted children.
We intend the priority to increase the availability of
proven approaches for increasing the number of students
from underrepresented groups participating in gifted and
talented education programs.

EFFECTIVE DATE: This priority is effective (INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER).

FOR FURTHER INFORMATION CONTACT: Teresa Cahalan, U.S. Department of Education, 400 Maryland Avenue, SW., room 5W218, Washington, DC 20202-8243. Telephone: (202) 401-3947 or via Internet:

jacobk.javits@ed.gov

If you use a telecommunications device for the deaf (TDD), you may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed under FOR FURTHER INFORMATION CONTACT.

SUPPLEMENTARY INFORMATION:

General

The purpose of the Jacob K. Javits Gifted and Talented Education Program is to carry out a coordinated program of scientifically based research, demonstration projects, innovative strategies, and similar activities designed to build and enhance the ability of elementary schools and secondary schools nationwide to meet the special educational needs of gifted and talented students. The program authority requires that no less than 50 percent of

the applications approved in each fiscal year address the second general priority of assisting schools in the identification of, and provision of services to, gifted and talented students from underrepresented groups who might otherwise not be identified and served through traditional assessment measures.

We published a notice of proposed priority for this program in the Federal Register on January 14, 2008 (93 FR 2228). Pages 2228 through 2230 of this notice included a discussion of the significant issues pertaining to the proposed priority. We discussed our proposals for this program on pages 2228 through 2230.

Analysis of Comments and Changes

In response to our invitation in the notice of proposed priority, 44 parties submitted comments on the proposed priority. An analysis of the comments and of any changes in the priority since publication of the notice of proposed priority follows.

We group major issues according to subject. Generally, we do not address technical and other minor changes--and suggested changes the law does not authorize us to make under the applicable statutory authority.

Comment: Five commenters recommended that we clarify whether or not the priority applied to capacity-building

grants authorized under section 5464(c) of the Elementary and Secondary Education Act (ESEA) of 1965, as amended by the No Child Left Behind Act (NCLB) of 2001.

Discussion: This priority implements the second general priority established in section 5465(a)(2) of ESEA and applies only to competitions for which we invite applications pursuant to that authority. In any fiscal year in which the appropriations for the Javits program exceeds the fiscal year 2001 appropriation of \$7.5 million, section 5464(c) of ESEA requires that the Secretary use these additional funds to award competitive grants to State and local educational agencies. Section 5464(c) does not apply to this competition because the fiscal year 2008 appropriation for this program was \$7.46 million.

Change: None.

Comment: Several commenters were concerned that references in the proposed priority to raising achievement levels suggested an intent to use program funds to enhance the academic achievement of all students instead of only gifted and talented students, as authorized.

Discussion: The priority is intended to implement the service priority in section 5465(b) that requires that no less than 50 percent of the funds available in a fiscal year be used to support the identification of and provision

of services to gifted and talented students from underrepresented groups who might not otherwise be identified through traditional assessment methods. We did not intend this language to suggest that program funds would be used to serve students who are not gifted and talented.

Change: We have revised the priority to clarify that gifted and talented students from underrepresented groups will be the focus of projects supported through this competition.

Comment: Five commenters recommended that we clarify the meaning of the terms "broader settings" and "multiple populations" as they pertain to the requirement in the priority that applicants propose to scale up an intervention or approach with evidence of effectiveness on a small scale.

Discussion: The priority would be clearer with the clarifications suggested by the commenters.

Change: We have revised the priority by adding examples for clarification. Specifically, we note that "broader setting" refers to the place where an intervention or approach is implemented, such as the type of school or grade level, and that "multiple populations" refers to characteristics of the students, so that projects might

test whether findings can be replicated across groups of students with different socioeconomic, racial, ethnic, and linguistic backgrounds.

Comment: Five commenters questioned whether or not eligibility for a grant under this priority is restricted to applicants that demonstrate that they intend to both identify and serve gifted and talented students.

Discussion: Section 5465(a)(2) requires that projects under this priority assist schools in both the identification of, and provision of services to, gifted and talented students.

Change: We have revised the priority to make it clear that projects are required to both identify gifted and talented students and provide these students with gifted and talented education services.

Comment: One commenter recommended that we place greater emphasis on the applicant's expertise in gifted education, by either requiring that applicants demonstrate that they have significant expertise in this area, or by adding a competitive preference for applicants who include a team leader with gifted education expertise.

Discussion: The priority already requires that applicants demonstrate that their leadership team has significant expertise in gifted and talented education.

Change: We have revised the order of the areas of required expertise to place greater emphasis on the need for expertise in gifted and talented education.

Comment: One commenter recommended that the program place greater emphasis on funding demonstration projects in states that do not house the National Research and Development Center in order to expand the advocacy infrastructure for this program.

Discussion: Although we recognize the importance of supporting demonstration projects that address the diverse needs of the different student populations and geographic areas served by gifted and talented education programs, the Department relies upon the advice of experts in our peer review panels to select the highest quality proposals from among those we receive.

Change: None.

Note: This notice does not solicit applications. In any year in which we choose to use this priority, we invite applications through a notice in the Federal Register. When inviting applications we designate the priority as absolute, competitive preference, or invitational. The effect of each type of priority follows:

Absolute priority: Under an absolute priority we consider only applications that meet the priority (34 CFR 75.105(c)(3)).

Competitive preference priority: Under a competitive preference priority we give competitive preference to an application by either (1) awarding additional points, depending on how well or the extent to which the application meets the competitive priority (34 CFR 75.105(c)(2)(i)); or (2) selecting an application that meets the competitive priority over an application of comparable merit that does not meet the priority (34 CFR 75.105(c)(2)(ii)).

Invitational priority: Under an invitational priority we are particularly interested in applications that meet the invitational priority. However, we do not give an application that meets the invitational priority a competitive or absolute preference over other applications (34 CFR 75.105(c)(1)).

PRIORITY:

Javits Demonstration Programs

Under this priority, grantees must "scale up" and evaluate models designed to increase the number of students from underrepresented groups who, through gifted and

talented education programs, perform at high levels of academic achievement.

For this priority, "scaling up" means to expand a program with demonstrated effectiveness on a small scale for use with gifted and talented students in broader settings (such as in multiple schools, grade levels, or districts, or in other educational settings) or with different populations of gifted and talented students (based on differences such as the socioeconomic, racial, ethnic, geographic, and linguistic backgrounds of the students and their families). With regard to this priority, underrepresented groups refer to the following three groups of gifted and talented students: economically disadvantaged individuals; individuals with limited English proficiency; and individuals with disabilities.

To meet this priority, applicants must include all of the following in their applications:

(1) Evidence from one or more scientifically based research and evaluation studies indicating that the proposed intervention has raised the achievement of students from one or more underrepresented groups in one or more core subject areas.

(2) Evidence from one or more scientifically based research and evaluation studies that the proposed

intervention has resulted in the identification of and provision of services to increased numbers of students from underrepresented groups who participate in gifted and talented education programs.

(3) Evidence that the applicant has significant expertise on its leadership team in each of the following areas: Gifted and talented education, research and program evaluation, content knowledge in one or more core academic subject areas, and working with underrepresented groups.

(4) A sound plan for implementing the model in multiple settings or with multiple populations.

(5) A research and evaluation plan that employs an experimental or quasi-experimental design to measure the impact of the intervention on the achievement of students who are economically disadvantaged or limited English proficient, or who have disabilities, and on the number of these students who are identified as gifted and talented and served through gifted and talented programs.

Note: Evaluation methods using an experimental design are best for determining program effectiveness. Thus, when feasible, the project must use an experimental design under which participants (e.g., students, teachers, classrooms, or schools) are randomly assigned to participate in the project activities being evaluated or to a control group

that does not participate in the project activities being evaluated.

If random assignment is not feasible, the project may use a quasi-experimental design with carefully matched comparison conditions. This alternative design attempts to approximate a randomly assigned control group by matching participants with non-participants having similar pre-intervention characteristics.

Executive Order 12866

This notice of final priority has been reviewed in accordance with Executive Order 12866. Under the terms of the order, we have assessed the potential costs and benefits of this regulatory action.

The potential costs associated with the notice of final priority are those resulting from statutory requirements and those we have determined as necessary for administering this program effectively and efficiently.

In assessing the potential costs and benefits--both quantitative and qualitative--of this notice of final priority, we have determined that the benefits of the final priority justify the costs.

We summarized the costs and benefits in the notice of proposed priority.

Intergovernmental Review

This program is subject to Executive Order 12372 and the regulations in 34 CFR part 79. One of the objectives of the Executive order is to foster an intergovernmental partnership and a strengthened federalism. The Executive order relies on processes developed by State and local governments for coordination and review of proposed Federal financial assistance.

This document provides early notification of our specific plans and actions for this program.

Applicable Program Regulations: 34 CFR parts 74, 75, 77, 79, 80, 81, 82, 84, 85, 86, 97, 98, and 99.

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Dated:

Kerri L. Briggs,
Assistant Secretary for
Elementary and Secondary
Education.